

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division

PHILIP MORRIS USA INC.,
Plaintiff,

v.

Civil Case No. 3:15-cv-00577-JAG

AMERICAN ACCESSORIES
INTERNATIONAL, L.L.C.,
Defendant.

ORDER

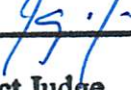
This matter comes before the Court on multiple motions. The Court held a hearing on these motions on July 1, 2016. For the reasons stated from the bench at the hearing, the Court DENIES the plaintiff's motion for summary judgment. (Dk. No. 33.) The Court GRANTS IN PART and DENIES IN PART the defendant's motion for summary judgment. (Dk. No. 43.) Specifically, the Court GRANTS the motion as to Counts Four and Five, but otherwise DENIES the motion. As to the motions to exclude or limit expert testimony, the Court DENIES the plaintiff's motion to exclude the testimony of Dr. Elizabeth Buc. (Dk. No. 40.) The Court also DENIES the defendant's motion to exclude the testimony of Richard Stern. (Dk. No. 50.) The Court, however, GRANTS the motion to exclude the testimony of Alan Schoem. (Dk. No. 37.)

At the July 1, 2016 hearing, two other issues arose that the Court addressed. First, when the plaintiff re-files the documents previously filed under seal pursuant to the Order dated June 24, 2016, it may redact any banking information contained in those documents. Second, regarding the defendant's motion for sanctions for spoliation, the plaintiff shall respond on the same schedule set for motions in limine.

It is so ORDERED.

Let the Clerk send a copy of this Order to all counsel of record.

Date: July 1, 2016
Richmond, VA



John A. Gibney, Jr.
United States District Judge